

EMPLOYEE DEVELOPMENT

- 1. REASON FOR ISSUE:** To issue Department of Veterans Affairs (VA) policy regarding employee development.
- 2. SUMMARY OF CONTENTS/MAJOR CHANGES:** This directive sets forth policies previously contained in numerous other issuances. No substantive changes have been made.
- 3. RESPONSIBLE OFFICE:** The Human Resources Development Service (053), Office of the Deputy Assistant Secretary for Human Resources.
- 4. RELATED HANDBOOK:** VA Handbook 5015, "Employee Development."
- 5. RESCISSIONS:** Refer to the Transmittal Sheet for VA Directive 5001, "General Introduction and Administration."

CERTIFIED BY:

**BY DIRECTION OF THE SECRETARY
OF VETERANS AFFAIRS:**

/s/John A. Gauss
Assistant Secretary for
Information and Technology

/s/Jacob Lozada, Ph.D.
Assistant Secretary for Human
Resources and Administration

EMPLOYEE DEVELOPMENT

1. PURPOSE. The purpose of this directive is to issue Department of Veterans Affairs (VA) policy on employee development.

2. POLICY

a. **General.** It is the policy of the Department of Veterans Affairs to promote effective mission accomplishment and employee development. The continued ability of VA to respond effectively and efficiently to the needs of America's veterans and their families depends in large part on the extent to which it can recruit, develop, and retain competent employees. Our ability to do this in part depends on the extent to which we can provide opportunities for training, growth, and development for all employees. A successful training program requires a constant assessment of changing customer needs and a commitment of sufficient resources.

b. **Delegation of Training Authority.** Except as specified in subparagraph c below, the Secretary of Veterans Affairs training approval authority is delegated to Administration Heads, who may further delegate to appropriate levels within their organization. Administration Heads or designees who have delegated authority must:

- (1) Ensure that training is mission related (5 CFR 410.101);
- (2) Systematically assess organizational, occupational, and individual training needs;
- (3) Hold supervisors accountable for assessing the most efficient and effective means or medium for meeting mission related learning and developmental needs of employees;
- (4) Establish training plans to ensure that all employees appointed as supervisors, managers, or executives are provided basic leadership training;
- (5) Ensure that the following mandatory training is conducted:
 - (a) **Computer Security.** The Computer Security Act of 1987, Pub. Law 100-235, and 5 CFR 930.301-30 requires periodic computer security training that spells out the department's policy, procedures, and employee role and responsibility in computer security.
 - (b) **Ethics.** 5 CFR 2638.703 (a) requires that each new agency employee be provided within 90 days of his/her entrance on duty, the ethics materials specified in 5 CFR 2638.703 (b).
 - (c) **Executives, Managers, and Supervisors.** 5 CFR, part 412 requires that all employees who are appointed as supervisors, managers, or executives are provided leadership training appropriate to their positions.
- (6) Ensure that established procurement methods are used when hiring training vendors or procuring off-the-shelf training programs;

(7) Ensure that the selection of employees for training is made without regard to race, religion, national origin, sex, political preference, color, marital status, age, disabling condition, sexual orientation, parental status and with proper regard for their privacy and rights set forth in 5 U.S.C. 2302(b);

(8) Ensure that training facilities and curriculum are accessible to employees with disabilities;

(9) Authorize training to obtain an academic degree only when the requirements of 5 CFR 410.308 are met; and

(10) Consider professional conferences as training when the announced purpose of the educational or instructional conference meets all the other conditions of 5 CFR 410.404.

c. Presidential Appointee Training

(1) The Secretary of Veterans Affairs will authorize all training for VA officials appointed by the President. This authority may not be further delegated to a subordinate. The decision to provide training to the Secretary will be deferred to the Office of Personnel Management (OPM). The provisions of 5 CFR 410.302 (b) (1) and EO 11895 will be followed.

(2) Requests for training for Presidential appointees will be processed through the office of the Director, Human Resources Development Service. The request will include:

(a) A completed SF 182. This will be submitted at least 10 working days prior to the start of the training;

(b) A statement justifying the training and describing how the official will apply it during his or her term of office; and

(c) A description of the training, its location, vendor, cost, and duration.

d. Contributions or Awards. The provisions of 5 CFR 410.502 and guidance from VA Ethics Office will be followed. The authority to authorize VA employees to accept cash or in kind services for training is delegated to administration and staff office heads.

e. Continued Service Agreements (CSA) 5 CFR 410.309. Each administration and staff office head will develop policies that protect the interests of the Department of Veterans Affairs. The policies will require each employee to sign a CSA before training begins. The minimum Departmental standard for requiring a CSA is courses that are 40 hours in length and cost at least \$500.00. Administration and staff office heads may develop policies that are more restrictive. Each administration and staff office head will establish written procedures for recovering costs and written procedures for waivers associated with failure to complete required service of their employees' agreements.

f. Repayment of Training Costs. In accordance with 5 CFR 410.405, VA employees who fail to complete training for which VA incurs a cost will be required to repay all training costs (less salary and other compensation). Waiver procedures for repayment of training costs will be determined by each administration.

g. **Training Records.** In accordance with 5 CFR, part 410, each Administration Head is required to be able to account for training paid for by appropriated funds. This includes training plans, activities, and expenditures. Each Administration Head will determine the manner, format, and length of time in which to maintain such records. Periodic requests for VA department-wide data and reports from OPM will be submitted through and coordinated by the Human Resources Development Service.

h. **Training Outside the United States.** 5 CFR 410.302 (f) requires that agencies obtain U.S. State Department advice before assigning an employee who is stationed in the continental limits of the U.S. to training outside the continental U.S. that is provided by a foreign government, international organization, or instrumentality of either. The staff proponent for coordinating assistance with the Department of State is the Human Resources Development Service.

i. **Documentation**

(1) **General.** Administration Heads will maintain training records in accordance with 5 CFR 410.701, National Archives and Records Administration's (NARA's) "General Record's Schedule 1, Civilian Personnel", Part 29, Training Records, and OPM's "Guide to Personnel Record Keeping", 1998. Training documents are not to be maintained as permanent records in the employee's personnel folder.

(2) **Policy.** It is departmental policy that the administration and staff heads are delegated authority to determine the form and manner of training records, as they consider appropriate. However, the records of training events must be readily retrievable, and will, at a minimum, include:

- (a) Each attending employee's name, title, series, and grade;
- (b) The title, date, duration, provider, and location of the training;
- (c) The approving official;
- (d) The costs of the training as described in 5 CFR 410.406.

(3) **Continued Service Agreements.** (see paragraph 2e.) Copies of the Continued Service Agreements will be maintained in a form and manner determined by the administration and service heads until the agreed-upon service time has been completed. Waivers for such agreements will also be maintained.

(4) **Exceptions.** Administration and staff heads may request an exception to the provisions of General Records Schedule. If such records are approved, the VA organization will maintain a copy of SF 115 submitted to and approved by NARA.

3. RESPONSIBILITIES

a. Supervisors are responsible for ensuring that their employees have the knowledge, skills and abilities to perform their assignments. Each supervisor is also expected to provide appropriate resources to promote employee development and learning.

b. Employees are primarily responsible for their own learning and development.

c. The Human Resources Development Service (053), Office of Human Resources Management, is responsible for oversight of VA training policy.

4. REFERENCES

- a. 5 CFR, parts 410 and 412.
- b. 5 U.S.C., chapter 41.
- c. OPM Training Policy Handbook (HRD 97-01).
- d. Federal Acquisition Regulation.
- e. National Archives and Records Administration (NARA) General Records Schedule.
- f. Executive Order (E.O.) 11348 as amended by E.O. 12107, providing for the further training of Government employees.
- g. E.O. 11895, Delegating Authority of the President to Designate Individuals Appointed by the President to Receive Training.
- h. E.O. 13111, Using Technology to Improve Training Opportunities for Federal Government Employees.
- i. E.O. 13160, Nondiscrimination on The Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs.

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TRAINING

1. INTRODUCTION

a. Overview

(1) The continued ability of VA to respond effectively and efficiently to the needs of America's veterans and their dependents relies in large part on the extent to which it can recruit, develop, and retain dedicated, competent employees. Our ability to do this in part depends on the extent to which we provide opportunities for training, growth, and development for all employees.

(2) VA's training program helps ensure a highly competent, highly motivated staff and an adequate pool of employees qualified to assume greater responsibilities. Such a training program requires a constant assessment of changing needs, present and future; encouragement of, and support for, individual development to meet those needs; and a commitment of sufficient resources to make it possible.

b. **Coverage.** This handbook amplifies 5 CFR, part 410 on training and 5 CFR, part 412 on supervisory development and establishes VA policy to support them. This handbook covers all employees except medical and dental residents, trainees, and students in medical support programs (38 U.S.C. 7401 and VHA Manual M-8, "Academic Affairs," Pt. IV, Ch. 2) and Presidential appointees. Principal legislative requirements and constraints are contained in 5 U.S.C. 41. Nothing in this handbook should be interpreted as changing those requirements and constraints.

c. **Use of This Handbook.** This handbook describes the training policies, procedures, program requirements, and responsibilities at all levels within VA. Together with 5 CFR, parts 410 and 412, it should provide answers to most general questions about VA-wide training programs and training policy. Not all departmental training programs and policies are covered, but unless otherwise stated, all are subject to these general provisions.

2. AUTHORITIES. Basic authorities for VA's training program may be found in 5 U.S.C. 41, 38 U.S.C. 4121 through 5054, and 5 CFR, parts 410 and 412.

3. TRAINING IN VA

a. **Purpose.** Training of VA employees has two general objectives. Training provided to employees must be in support of one or both of these objectives.

(1) **Training for Improved Performance.** Within the constraints imposed by budgetary considerations and the laws and regulations governing receipt of training, all VA employees should receive training necessary to enable them to perform their present duties in an effective, efficient, and increasingly productive manner. As jobs evolve and duties change, additional training may become necessary to ensure continued, high-level performance.

(2) **Training for Future Assumption of Additional Duties.** VA requires an adequate supply of trained people qualified to assume additional duties and greater responsibilities as vacancies occur, as ongoing programs expand, and as new programs are added. A continuous effort should be made to

develop the work-related knowledges, skills, and abilities of all VA employees in a manner consistent with projected staffing needs and available resources. Care must be taken, however, that selection of employees for training which may give a competitive edge in applying for future openings is in accordance with merit principles.

b. Relationships to Other Programs. Training within VA is closely involved with and can make specific contributions to VA's executive and management development, upward mobility, and equal employment opportunity programs. Training is also a natural outgrowth of the performance appraisal system. When a weakness is identified in an employee's performance, an evaluation should be made by the employee's supervisor to determine if training will assist the employee in correcting the deficiency. All formal training shall be recorded by the field facility to meet credentialing body and/or VA guidelines.

(1) **Executive and Management Development.** Additional guidance on managerial and executive training is provided in 5 CFR, part 412. Such training is covered by the general policies contained in this handbook.

(2) **Computer Security.** The Computer Security Act of 1987, Pub. Law 100-235, and 5 CFR 930.301-30 requires periodic computer security training that spells out the department's policy, procedures, and employee role and responsibility in computer security.

(3) **Ethics.** 5 CFR 2638.703 (a) requires that each new agency employee be provided within 90 days of his/her entrance on duty, the ethics materials specified in 5 CFR 2638.703 (b).

(4) **Upward Mobility.** Upward Mobility programs within VA usually contain a significant amount of formal and informal training. Specific information about the Upward Mobility program is contained in Appendix A to this handbook which describes the program in detail.

(5) **Equal Employment Opportunity (EEO) Programs.** Training and EEO are directly related in two ways:

(a) Any training program must be conducted, and participants selected, in a manner consistent with EEO laws, regulations, and principles.

(b) Training, often in conjunction with Upward Mobility programs, can help in achieving EEO goals.

c. Training as a Management Tool. Training is one of the most powerful tools VA management has at its disposal to help develop a productive work force. An imaginative, creative approach to training, using all the flexibilities available, will permit the more efficient use of resources and help lead to achievement of our objectives. The guidance provided in this handbook should enable management to make effective use of its training authority.

4. ROLES AND RESPONSIBILITIES

a. Overview. The VA as a Department, each of its organizational units, and each of its employees share the responsibility for assuring that VA employees receive the training they need to perform their duties. The Department has the responsibility for assuring that its employees have the knowledges, skills and abilities needed to do their jobs. Employees have responsibility for their own growth,

development, and preparation for advancement. The needs and goals of VA can be met by supporting employee training and development. VA may help employees achieve their own goals by support of various types (financial assistance, released time, etc.) but such support is not automatic. All VA employees should periodically review their self-development responsibilities to assure that they are being met.

b. The Office of Human Resources Management. The Human Resources Development Service is responsible for planning a VA-wide training program in conjunction with training programs conducted by Administrations, staff offices, and field facilities. Among its specific responsibilities are:

(1) Developing a comprehensive training policy in accordance with VA's needs, relevant legislation, and Office of Personnel Management (OPM) and Office of Management and Budget (OMB) regulations;

(2) Providing leadership, coordination, and assistance to Administrations, staff offices, and field facilities in developing and conducting their training programs; and

(3) Acting as a liaison with OPM and other agencies and organizations on training matters.

c. Administration, Staff Office, and Field Facility Heads. Administration, staff office and field facility heads are responsible for supporting and providing leadership for their organizations' training programs. This includes providing enough resources (staff, money, and time) to assure that all appropriate training, as determined by management, is provided to employees.

d. Field Facility Human Resources Management Officers and Education Officers. Field facility Human Resources Management Officers and Education Service Officers share the responsibility for:

(1) Assuring or assisting the coordination of facility-wide training activities in human resources management, supervisory development, and general management;

(2) Identifying organizational training needs and sources available for meeting those needs;

(3) Reviewing Employee Competency Assessments and Annual Training Plans (see par. 6) to assure that regulatory requirements are being met;

(4) Developing and conducting training programs when approved by higher level management;

(5) Providing assistance to organizations that conduct their own specialized training;

(6) Reviewing training requests to determine that all legal requirements and regulations have been met;

(7) Maintaining training records; and

(8) Providing technical expertise and advice to management either directly or through membership on Training and Development Committees and/or Hospital Education Committees.

e. **Supervisors.** Supervisors are responsible for:

(1) Periodically identifying present and future training needs of their organizational unit and its employees;

(2) Developing a plan to accomplish the necessary training;

(3) Encouraging self-development activities of employees; and

(4) Discussing the types of self-development activities that will assist employees in achieving their career objectives. If the supervisor does not feel prepared to discuss a specific question concerning career development, the employee should be referred to a source which can be of assistance: Human Resources Management office, employee education officials, Central Office programs e.g., Employee Education System (EES), Office of Academic Affiliations (OAA), Health Care Staff Development and Retention Office (HCSD&RO), etc.

f. **Employees.** Employees have an important role in their own training and development. They share responsibility with their supervisors for identifying training needs in relation to job requirements and for identifying sources for meeting those needs. Employees also have primary responsibility for self-development activities beyond those required by their jobs. It is the supervisor's and employee's shared responsibility to create an individual development plan.

5. TRAINING AND DEVELOPMENT PROCESSES. All field facilities must have a process in place to ensure that the following activities are addressed:

a. Establishing the facility's training priorities;

b. Monitoring progress of the facility's training and educational activities and recommending needed changes;

c. Establishing procedures and criteria for selecting employees for training and education; and

d. Integrating local activities with network and national programs already established to reduce duplication of effort.

6. ANNUAL TRAINING PLANS

a. **Overview.** A successful training program begins with a comprehensive plan for identifying and meeting training needs. Such a plan should also be used as a guide for achieving objectives of the strategic plan. Even though such a plan must be periodically reviewed and revised as changing circumstances dictate, it provides a base for achieving improved performance. The Annual Training Plan should be the centerpiece of the planning process. Properly developed and used, the Annual Training Plan can help facilities determine priorities, allocate resources, and evaluate accomplishments.

b. **Determining Training Needs.** The Human Resources Management Officer and Education Officer will conduct a training needs assessment and on the basis of its findings prepare an Annual Training Plan. The assessment will use appropriate techniques to get the desired information, including: questionnaires, interviews with management, supervisors, and employees; facility reports; management

audits; production records; EEO and Labor Management Relations complaints; studies of projected employee replacement and succession planning needs, etc.

c. **Contents.** The Annual Training Plan should include:

(1) A description of major training needs, with special emphasis on:

(a) Orientation of employees;

(b) Training of supervisors, particularly newly appointed supervisors, in supervisory principles, practices, and techniques;

(c) Opportunities for developing and upgrading skills of lower graded employees;

(d) EEO training; and

(2) A statement of training objectives linked to the strategic plan for the coming year reflecting the identified needs.

7. TYPES OF TRAINING

a. **Overview.** VA provides its employees with several types of training. Some is general training provided to almost all employees or almost all employees in a particular category; some is of a much more limited nature and is provided only as the individual situation warrants; some is designed to help employees perform their present duties; some is designed to help them prepare for future assignments. Depending on the circumstances, training may be provided at the direction of management or at the request of the employee. An understanding by supervisors and employees of the various types of training is essential if they are to make full use of the training program.

b. Orientation

(1) All new employees are to be oriented to the VA, to their specific working situations and, if needed, to the Federal civil service. This orientation should take place in three stages within the first 90 days of service: when employees are appointed, when they report to their place or work, and after a period of adjustment. Scheduling and conducting the orientation is a joint responsibility of the Human Resources Management Service, the Education Office and the employees' supervisors.

(2) The orientation should cover but not be limited to the following subjects:

(a) Mission of the VA, the facility, and the organizational units;

(b) Description of duties and performance standards;

(c) Responsibilities of employees;

(d) Salary and benefits (leave, insurance, retirement, etc.);

(e) Employee safety;

- (f) EEO policies and programs;
- (g) Labor-management agreements;
- (h) Training, development and advancement opportunities;
- (i) Upward Mobility programs; and
- (j) Position classification, job grading, and pay policies.

c. On-The-Job Training

(1) All employees should be helped to acquire the knowledge, skills, abilities, habits, and attitudes needed to perform their assigned work and to develop and maintain satisfactory working relationships with supervisors and fellow employees. The need for such training may be especially great for new employees or when the work, the working conditions, or the work equipment changes, but it may appear at anytime. It is the supervisor's responsibility to assess periodically the training needs of employees and take appropriate steps to meet them.

(2) On-the-job training may also be used to develop knowledge, skills, and abilities which will be useful in future assignments. Employees should have an opportunity to increase their work skills for purposes of advancement to the extent that such activities are consistent with the performance of regularly assigned duties and the resources and projected staffing needs of VA.

(3) Employees are also to be informed on an ongoing basis of changes in policies and regulations which affect them. They should be kept informed of policies and programs being emphasized by VA management. This may be done in writing, on a one-to-one basis by the supervisor, in a classroom, or in any other appropriate way.

d. Supervisory Training

(1) Supervisory training is a top priority of VA. Training will be arranged by each VACO component and field facility to ensure the adequate training of supervisors not only in the technical requirements of their positions, but also in the common knowledges and abilities needed in all supervisory positions. These include such things as knowledge of personnel regulations and practices affecting the supervisor's job, classification and position management, and the ability to motivate and lead subordinates, to plan and schedule work, to assign duties, appraise performance, and to handle disciplinary problems.

(2) Newly appointed supervisors require special attention since most are promoted to supervisory positions because of technical competence and have no previous supervisory experience. Specific training needs of new supervisors should be identified by management on an individual basis before or as soon as possible after the employee is appointed to a supervisory position and steps taken to provide needed training. 5 CFR, part 412 provides general guidelines for such training. Employees selected for supervisory positions in the competitive service, regardless of pay system or manner of selection (promotion, reassignment, or other means), will receive training in accordance with these guidelines. Supervisors outside the competitive service (such as physicians, dentists, and nurses appointed under

title 38) will also receive appropriate training as determined by the facility. This should approximate the training given to supervisors in the competitive service.

(3) Training of new supervisors can be modified to the extent that the new supervisors' education or experience already provides knowledge, skills, and abilities equivalent to those listed in 5 CFR, part 412.

(4) The field facility Human Resources Management Officer in conjunction with the Education Officer is responsible for establishing a system to measure the amount of required training each supervisor receives and for notifying management of unmet needs. Management has the responsibility for seeing that required supervisory training is received.

e. **Special Emphasis Programs.** In addition to the training already described, special emphasis programs require special training efforts. In some cases special training programs may have to be conducted; in other cases, discussions of these topics may be included in ongoing training programs.

(1) **Equal Employment Opportunity.** Sufficient orientation and training must be given to ensure management and employee understanding, support and implementation of the equal employment opportunity program. Supervisors and managers must be made aware that their annual performance appraisal will be based in part on their effectiveness in implementing the EEO program. (42 U.S.C. 2000e 16(b))

(2) **Performance Appraisal.** All supervisors must be trained in the objectives and procedures of the VA performance appraisal system.

(3) **Position Management.** To assist supervisors in carrying out their basic responsibility to assign work to positions in the most economical and effective manner, all supervisors should be given training in the principles of sound position management. (VA Handbook 5003)

(4) **Labor-Management Relations.** The Human Resources Management office should provide training to management and supervisory officials on their Labor-Management Relations obligations. Administration Heads, Assistant Secretaries, Other Key Officials, or their designees are responsible for seeing that management and supervisors are properly trained in this program. (VA Handbook 5023)

(5) **Safety, Occupational Health, and Fire Protection.** All employees should receive appropriate training in safety, occupational health, and fire protection. (MP-3, pt. III, ch. 2, secs. II and III.)

(6) **Other Special Emphasis Programs.** As the need arises, provisions should be made for training required by any other special emphasis program.

8. SOURCES OF TRAINING

a. **Overview.** Training may be obtained from several sources, both governmental and non-governmental. The decision as to which source to use will depend on considerations of cost, convenience, and quality. (See VHA Manual M-8, "Academic Affairs," pt. IV ch. 2 for additional policies affecting VHA employees.)

b. Government Sources

(1) **Department of Veterans Affairs.** VA, itself, offers a great deal of training and should be the first source when seeking training. VA training is generally less expensive and much more likely to be department-specific. Training of various types is regularly scheduled and conducted by:

(a) Central Office (Office of Human Resources Management and other Central Office components);

(b) Field facilities (designated Education Office, Human Resources Management Office and the various services or divisions), and

(c) Other continuing education units administered by VA. All employees with training responsibilities should be aware of these offerings within VA. Often, cooperative training arrangements can be made between field facilities or between services within a field facility. Other sources include: VHA Employee Education System, VA Knowledge Network, VBA Academy, the Health Care Staff and Retention Office, etc.

(2) **The Office of Personnel Management.** OPM conducts interagency training at its Executive Seminar Centers and the Federal Executive Institute. The National Independent Study Center (Denver), is under the jurisdiction of the USDA Graduate School. It offers a wide variety of courses at all levels on both an interagency and a single agency basis.

(3) **Interagency Training.** VA facilities are encouraged to provide leadership for cooperative training efforts with other agencies.

(a) When needed training is not available at VA facilities, agreements may be made to use the training programs of other Federal agencies. This may be done on a reimbursable basis.

(b) VA facilities may, in turn, make their training available to other Federal agencies provided that this does not interfere with VA's mission and there is no substantial cost to VA or there is reimbursement for additional costs.

c. Non-Government Sources. Administration Heads, Assistant Secretaries, Other Key Officials and their designees may authorize the training of their employees by, in, or through a non-Government training facility. Authorization must be in writing and obtained in advance of the course.

(1) **Requirements.** Before training through a non-Government source is approved, the authorizing official shall determine:

(a) That the training is related, or will be related, to the performance of the employee's official duties and will benefit VA. This includes potential duties in a different job or occupation at the same or higher level than the one currently held by the employee. VA needs, present or anticipated, must be identified specifically in determining the "benefit." It is not sufficient that the employee has a high interest in the training or has a background related to the subject of the training.

(b) That adequate training is not reasonably available by, in, or through a Government facility,

(c) That the training is the most practical and least costly to the Government. For example, while Government training may be available, it may also be more costly than available non-Government training. (See 5 CFR, part 410)

(d) That the training is not prohibited by section 13, 14, or 19(b) of Public Law 85-507, the “Government Employees Training Act.” Determinations as to whether provisions of section 14 (which prohibits payments for training by, in, and through any non-Government facility advocating the violent overthrow of the Government) or section 19(d) (which prohibits training through a non-Government facility engaged in attempting to influence legislation or political campaigns) are met will be made by heads of Central Office Administrations and staff offices, field facility directors, and contracting officers after consideration of reasonably available public information concerning the activities of the non-Government facilities or people, and

(e) That prohibitions, limitations, and requirements as stated in 5 CFR, part 410, are met.

(2) **Agreements To Continue in Service.** When a training instance involves more than 80 hours of non-Government training, an agreement to continue in service must be obtained from the employee before actual assignment to the training. The period of service will equal at least three times the length of the training. (5 CFR 410.309(b)(2)) (See Appendix A for a Sample Service Agreement.) The agreements will be enforced unless waived in writing by the authorizing official. The agreement form should be kept in the employee’s personnel folder until the obligation is completed. Field facilities may establish local policies regarding service agreements.

(3) **Meetings.** Attendance at professional meetings is a valuable way for VA and its employees to keep abreast of professional developments and is an accepted tool for self-development. Authorizing officials may grant time and approve defraying part or all of the cost of attending such meetings.

(a) Usually attendance at an activity is considered training only when the principal purpose is to impart knowledge or skills. This purpose may be ascertained by looking at the activity’s stated objectives, content, structure, and the presence or absence of an instructor-student relationship. Generally such activities are called courses, institutes, workshops, or seminars. Professional meetings, often called conferences, conventions, or symposiums, serve the more general purpose of promoting professionalism and keeping members up to date on topics of professional interest.

(b) The decision to grant an employee time to attend a professional meeting or to help defray the cost of the meeting should be based on:

1. A conclusion that the meeting is directly concerned with official VA functions or activities for which VA appropriations are made;

2. A conclusion that indirect benefits can reasonably be expected by improved conduct, supervision, or management of VA functions or activities, and time allowances for attendance are authorized under Federal and VA time and attendance regulations.

(c) For policies involving travel to meetings and conferences, see MP-1, part II, chapter 2.

9. SELECTION OF TRAINEES

a. All VA executives, managers, and supervisors will ensure that VA employees and other individuals who participate in VA-conducted education and training programs are not discriminated against based on race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent.

b. Individuals have a right to file a complaint if they think they have been discriminated against. Employees and non-employees may file complaints under the provisions of Executive Order (EO) 13160. The complaint must be filed within 180 days of the incident. Remedies under the provisions of the EO are limited to non-monetary, equitable relief. All complaints will be referred to the Deputy Assistant Secretary, Office of Resolution Management, 810 Vermont Avenue, NW, Washington, DC 20420. Complaints of discrimination filed by non-employees who participate in VA-sponsored training will be forwarded to the appropriate Administration or staff office for processing. Further details of the complaint processing procedures under EO 13160 may be obtained through the Office of Resolution Management or the [Department of Justice website](#).

c. **Training and Promotional Opportunities.** When the primary purpose of training is to prepare employees in the competitive service (including Veterans Readjustment Act employees) for advancement or such training is required for promotion, selection for the training must be made under competitive procedures.

10. FUNDING OF TRAINING

a. **Budgetary Considerations.** Purposeful and realistic budgeting and fiscal management are essential for effective training and development activities. Each facility should carefully estimate the cost of fully supporting the training required to meet the facility's needs.

b. **Training Costs.** VA may pay for part or all of the costs of training approved for its employees. This includes tuition, supplies, travel, per diem, subsistence in some cities, and other related costs subject to applicable OMB and GSA regulations governing such expenses. Ordinarily the organizational unit which pays the trainee's salary is responsible for training expenses unless other arrangements have been made in advance.

c. **Required Training.** When training and development activities and meetings are required by VA, such activities and meetings should take place at the expense of VA and, whenever practical, at the VA facility during the normal work hours of the trainees.

d. **Non-required Training.** To the extent that resources are available, facilities are encouraged to help defray the cost of other training it has approved. It is important to bear in mind, however, that it is management's decision as to which employees shall receive which training beyond that required by the job and how much VA will contribute towards defraying the cost.

e. Prohibitions on Premium Pay for Periods of Training

(1) The authority to make exceptions to restrictions on paying employees premium pay during periods of training not currently covered under 5 CFR 410.402(b) has been delegated by OPM to the Secretary for Veterans Affairs and Administration and staff office heads, or their deputies, subject to

review by the Assistant Secretary for Human Resources and Administration. For such exceptions OPM requires documentation showing that the authority is being used only for the following reasons:

- (a) To prevent interruption of critical service to the public;
- (b) To allow implementation of regulations or programs in the time periods imposed by law;
- (c) To provide necessary training to employees in the operation of heavily used, critical equipment during periods when the equipment is not in use; or
- (d) To reduce the total cost to the Government. (See 5 U.S.C. 4109; 5 CFR 410.402(a); Executive Order 11348, section 401(a).)

(2) For restrictions on payment of overtime for travel to and from training, see 60 Comp. Gen. 434(1981).

f. Contributions Awards, and Payment from Non-Government Sources. (See 5 CFR, part 410, subpart E and VHA Manual M-8, “Academic Affairs,” Pt. V, Ch. 9 for policies and procedures affecting VHA employees.) (Also see VA Directive and Handbook 5025, for legal information.)

(1) Acceptance of Cash or In-Kind Expenses by a VA Employee. VA employees may be authorized to accept contributions or awards for training in non-Government facilities or to accept payment by non-Government organizations for travel, subsistence and other expenses for attendance at meetings when;

(a) The organization is determined to be tax exempt as described in 26 U.S.C. 501(c)(3) or the payments are made by the Treasury of a State, county, or municipal Government. (To obtain information concerning an organization’s tax exempt status, contact the Taxpayer Services Division at any District Office of the Internal Revenue Service (IRS), and

(b) In the case of an employee of VHA, he or she is a nationally recognized principal investigator. A “principal investigator” is defined as an individual accountable for the proposal, performance and culmination of a research or development project. A principal investigator is “nationally recognized” if he or she meets at least two of the following criteria:

1. Listed in American Men and Women of Science or other comparable publications;
2. Recognition among professional peers based on medical research accomplishments;
3. Receipt of significant awards or honors for medical research accomplishments;
4. Invitation to participate in national conventions or meetings of medical or scientific organizations in order to deliver a paper or address concerning the participant’s medical research;
5. Publication of research results in nationally circulated medical or scientific publications of good repute or in widely used texts.

(2) **Acceptance of In-Kind Expenses Only.** VA employees may be authorized to accept in-kind gifts, donations, payments, and contributions on behalf of VA for travel, subsistence and other expenses related to official travel for training in non-Government facilities or attendance at meetings. Such in-kind considerations may not be in cash, but can be prepaid expenses such as a plane ticket, hotel room, or meal ticket. If an employee accepts an in-kind contribution, either no per diem and other travel expenses should be paid the employee by VA or an appropriate reduction should be made in the per diem or other travel expenses payable depending on the extent of the contribution. (See 36 Comp. Gen. 268, 48 Comp. Gen. 689, and FPMR 101-7, pt. 2, par. 4-2.1.)

(3) **Delegation of Authority.** The Under Secretary for Benefits; the Under Secretary for Memorial Affairs (for their Central Office components), the Chief Academic Affiliations Officer (for the Central Office components of VHA), heads of staff offices, and directors of field facilities may authorize acceptance by their employees of the contributions, awards and payments described in subparagraphs (1) and (2) above. In authorizing such acceptance, full considerations will be given to the factors outlined in VA Handbook 5025 concerning actual or apparent conflict of interest. Excessive personal expenses should not be authorized as this would be a violation of the employee code of conduct. Federal Travel Regulations should be used as a guideline to determine whether contributions are excessive; they should not be used to limit the amount of contribution if the expenses are reasonable and justified.

(4) **Procedures.** Authorization by the delegated official must be in writing and in advance of acceptance of the gift, donation, contribution or payment. A copy of the authorization should be sent to the fiscal activity affected so that it may be determined if any reductions in agency paid expenses are required to avoid duplicate payments. (The original must be put in the employee's personnel folder.) The authorization must include the following:

- (a) Name of employee
- (b) Name and address of the donor organization
- (c) Amount and nature of the contribution, award or payment (cash or in-kind)
- (d) Purpose for which the contribution, award or payment is to be used
- (e) If an award, the title.

11. TRAINING AGREEMENTS. OPM has delegated to VA the authority to substitute training accomplished through a formal training agreement for certain qualification requirements, including time-in-grade requirements. This delegation covers training agreements developed pursuant to provisions of 5 CFR, parts 300 and 470, and 29 CFR, part 1607. Such agreements will adhere to the following conditions:

a. The training agreement may not be a vehicle for moving temporary or excepted employees into career or career-conditional positions unless proper authority exists for such assignments. (5 U.S.C. 3301, 3302, and Executive Order 10577);

b. The training agreement shall not impose any form of positive education requirements except those already required by the qualification standards governing the target positions, nor can the agreement

constitute proper authority to waive such requirements when contained in the applicable standards for target or trainee positions (5 U.S.C. 3308, 5 CFR, part 338);

c. The training agreement must conform to all requirements of 5 CFR, parts 230, 250, 335, and 338 and the Uniform Guidelines for employee selection procedures;

d. The training agreement must specify that at least 50 percent of training must be in the target occupation or directly related fields;

e. Because entry into a formal training program at a lower grade is an involuntary action for pay purposes but a voluntary action for merit promotion purposes, the training agreement may provide for pay retention for employees who accept downgrades into the training program but may not provide for noncompetitive re-promotion to their former grades for those who fail to satisfactorily complete the training;

f. The training agreement may be the basis for crediting qualifications or service at an accelerated rate only when making assignments to positions under the program; it may not provide accelerated credit for qualifications earned in training by anyone who leaves the program without reaching the target position;

g. The training agreement may not contain any elements which violate requirements of the Government Employees Training Act, the Fair Labor Standards Act, Executive Order 11348, the Appropriation Act provisions, or other applicable statutes or policies;

h. The training agreement may provide for movement of trainees to positions in the Senior Executive Service (SES) only in accordance with the general requirements of the SES as established by OPM;

i. When the training agreement provides for using training to satisfy a time-in-grade requirement, records will fully demonstrate the existence of a recruitment and/or retention problem which can be relieved through use of rapid promotional advancement. Training agreements which provide for accelerated promotions may not be used to permit consecutive promotions at an accelerated rate;

j. Agreements developed at the facility level involving the substitution of successful training for qualifications will be approved by the field facility Director. OPM will be provided copies of all VA training agreements which have nationwide coverage. For training programs approved by field facility directors for local use only, a copy will be submitted to the appropriate OPM regional office. Agreements that apply to Central Office employees and involve more than one field facility, or any that provide for accelerated time-in-grade provisions, must be approved by the Administration or staff office head, subject to concurrence by the Deputy Assistant Secretary for Human Resources Management. All agreements prepared for initial use will be reviewed by VA Central Office prior to approval by the field facility Director or Administration or Staff Office Heads, or designees. If a specific approved agreement is used in subsequent actions, delegated authority will be exercised at the appropriate level.

k. Training agreements developed for 38 U.S.C. 31 trainees are also covered under this delegated OPM authority.

12. REPORTS AND RECORDS. VA shall maintain, through Administrations, staff offices and field facilities, records of its training plans, expenditures, and activities as required in 5 CFR 410.302(d), 410.311, 410.406, 410.503 and 410.602. VA shall report such information to OPM at such times and in such forms as OPM requests.

13. TRAINING COMMITTEE

a. **Overview.** A Training Committee is established to:

(1) Advise and act as a resource to the Assistant Secretary for Human Resources and Administration on training policies and programs;

(2) Identify Department-wide training goals and recommend approaches for achieving these goals, including major new initiatives;

(3) Recommend policies and approaches for enhancing the coordination of training activities among VA's elements; and

(4) Evaluate the effectiveness of certain training programs.

b. **Membership.** The Deputy Assistant Secretary for Human Resources Management is chairperson of this committee.

APPENDIX A. GUIDELINES FOR UPWARD MOBILITY PROGRAMS

1. PURPOSE

a. The Equal Employment Opportunity Act of 1972 stipulates that each agency head shall provide:

(1) For the establishment of training and education programs designed to provide a maximum opportunity for employees to advance so as to perform at their highest potential; and

(2) For the allocation of personnel and resources to carry out the equal employment opportunity program.

b. This appendix is issued to furnish guidelines which will facilitate the identification of lower-graded employees who demonstrate potential for advancement; and to provide planned programs of counseling, education, and/or training leading to placement in specific target positions. Its objectives are:

(1) To formalize and publicize upward mobility opportunities so that all interested and qualified employees have a fair chance to be considered;

(2) To encourage wider participation in and place greater emphasis on such efforts.

c. The training intended under the provisions of this appendix is that which goes beyond normal staff improvement practices. It should qualify individuals to move into different occupational fields which offer opportunities for upward mobility, or to progress in their present field if formal education or training is a prerequisite for further career advancement. It does not relate to training employees for advancement in their present career field if continued experience and on-the-job training will provide the required qualifications.

d. The training program will be considered in conjunction with affirmative action program planning as a means of enabling advancement of underrepresented groups.

2. SCOPE. The extent of any field facility's upward mobility endeavors is not predetermined or prescribed. It will depend on, among other things,

a. The number of interested lower-graded employees having the requisite potential;

b. The number and type of target positions available to those employees completing training;

c. Training resources locally available; and

d. Budget constraints and other relevant factors.

3. IDENTIFICATION OF TARGET POSITIONS

a. Field facilities are responsible for identifying target positions within their organization for which there are reasonable prospects of staffing demands within the near future. Projections should be based on anticipated staffing changes as well as turnover. Since the thrust of the upward mobility program is assisting present employees to advance within the extent of their potential, the selection of upward mobility target positions should not be determined primarily by the availability of qualified persons in the outside labor market. Because of equity and merit promotion considerations, however, upward mobility positions should be those for which there are not adequate numbers of qualified and interested employees already on the rolls of the installation.

b. Target positions may be positions which require specialized formal education or training to meet qualification standards, as well as positions for which no positive educational requirements apply. Examples of training falling within the scope of this program are:

(1) Staffing need for registered nurses which could be met by enrolling trainees in a local school of nursing; need for administrative personnel in positions such as accountant, etc.

NOTE: *The General Counsel of the OPM ruled that the prohibition on training in non-Government facilities to obtain an academic degree in order to qualify for a position for which the academic degree is a basic requirement does not apply to the training of employees to qualify as professional nurses in VA (5 U.S.C. 4107(c)(1)) 5 CFR 410.308(b) states academic degree training to relieve recruitment and retention problems. 5 U.S.C. 4107(b) allows an agency to authorize academic degree training if the training is necessary to assist in recruiting or retaining employees in occupations in which the agency has or anticipates a shortage of qualified personnel especially in occupations which it has determined involve skills critical to its mission (See 5 CFR 410.308 for specifics.)*

(2) Training to be a technician in a specialized medical field (electrocardiogram (EKG), electroencephalogram (EEG), x-ray, respiratory therapy, etc.).

(3) Training beginning at the apprentice level leading to a journeyman level (Veterans Benefits Counselor, Human Resources Management Specialist, etc.).

(4) Expected vacancies in computer programming.

(5) The demand for crafts and trades personnel might be met, in part, by the establishment of helper positions.

c. Upward mobility trainee positions will be in occupational specialties which offer the trainee the opportunity to advance into a higher skilled occupation. Representative salary rate will not be the determining factor in this regard. For example, a training opportunity leading to placement in a General Schedule position as purchasing agent would be considered upward mobility even though the trainee was a wage system employee whose representative rate in the wage job is higher than the representative rate of the General Schedule position. The training, in this case, would open up a new career with growth potential beyond that likely in the wage system job. Conversely, the selection of a General Schedule employee for a low skilled position, albeit higher paying, which may have limited growth potential, would not be considered upward mobility. A trainee position may be at the same grade level

or higher or lower grade level than the trainee's present position. If at the same or lower grade, it must provide an avenue for career advancement beyond the trainee's present grade. If the target grade is several grades higher, a grade-by-grade developmental plan must be established so that the trainee will meet qualification and regulatory requirements for promotion.

4. METHODS USED TO IMPLEMENT UPWARD MOBILITY PROGRAMS. The two approaches used to move employees into target positions are crossover and bridging.

a. **Crossover.** This method is used to move employees from dead-end occupational ladders *directly into* higher career potential ladders. Target positions often are designed at the grade above entry level in a two-grade interval ladder; e.g., at the GS-7 level of a GS-5, -7, -9, -11 career ladder. The employees receive training in the entry-level grade which will enable promotion to the GS-7 level at some future time. The upward mobility participants who do not possess all of the qualifications to enter that series at the GS-5 level can be placed into the entry level through use of a training agreement or by placement into a temporary training position with ultimate reassignment or promotion into the target position. Employees in GS-5, -6, -7, -8 positions (and some GS-4's who are eligible for promotion to GS-5) are usually considered for these positions. The training they receive in the GS-5 position will fully prepare them for the duties of the GS-7 target position. Employees must compete to enter the GS-5 or temporary training position but are reassigned or promoted non-competitively to the target position when the qualifications are met after successful completion of training. Modification of qualification standards or approval of a training agreement may require, in some instances, Office of Human Resources Management approval.

b. **Bridging.** In bridging, a field facility establishes or uses an existing position in a one-grade interval series to prepare individuals for transition to a targeted two-grade interval series. The bridge positions include a mixture of clerical or technical duties and developmental tasks related to the targeted position. Servicing Human Resources Management Offices may consider modification of qualification standards as delegated to field facilities.

5. IDENTIFICATION OF TRAINEES

a. Upward mobility training programs are established for VA employees in lower-level positions (below GS-9 or equivalent) which offer minimal opportunities for further career advancement. Employees placed in such programs must possess interest and potential for growth and development, and give evidence of willingness to assume the duties of the target position upon its availability and their satisfactory completion of training. Where assignment of the trainee will involve a movement between appointing authorities, the employee will be required to sign a statement of understanding as a condition of acceptance as a trainee (see sample agreement attached). Training opportunities must be announced as upward mobility training positions and given facility-wide publicity. All facility employees must have an opportunity to apply and be considered. Supervisors, especially those over units in which employees tend to become isolated, should identify employees with demonstrated potential and encourage them to apply. Counseling from Human Resources Management Offices as well as supervisors is important in this regard to ensure that employees are aware of the potential for advancement offered in the new career field as compared to that in their current line of work.

b. Selections will be made in accordance with the applicable merit promotion plan and through the use of the appropriate application of an approved modification of qualification standards or, if necessary,

APPENDIX A

OPM training agreements. The nature of action into the trainee position may vary to include reassignment, detail, or other appropriate action, as long as compliance with merit promotion policy occurs. Those who satisfactorily complete the training requirements and who meet the training objectives in such a way as to satisfactorily demonstrate the ability to perform at the next higher level may subsequently be placed in the next higher grade, including the target positions, without further competition.

c. Specific educational attainment will not be a requirement of upward mobility programs, except where a particular program includes the taking of a formal course of education and the educational institution's entrance prerequisites prescribe a minimum level of prior education. It is not anticipated, however, that employees selected under criteria in subparagraph b above would need special remedial education-as in basic literary or arithmetic skills.

d. No written tests will be used unless approved by the Assistant Secretary for Human Resources and Administration, or required by the OPM for normal noncompetitive purposes.

e. Programs using outside recruitment are not examples of upward mobility for purposes of this appendix.

f. Trainees will be selected without regard to race, religion, national origin, sex, political preference, color, marital status, age, disabling condition, sexual orientation, parental status and rights set forth in 5 U.S.C. 2302(b) Executive Order 11360.

6. TRAINING

a. Each field facility will be responsible for recognizing the training needs of the persons selected and devising appropriate, individually tailored training plans to reach the target position. The best method for accomplishing this is through the development of an Individual Development Plan (IDP) (VA Form 4692).

b. Training under this program should be concentrated. The objective will be to bridge the gap, as quickly as possible, between what the trainee already knows, by virtue of prior training or experience, and what he or she needs to know to meet the job requirements and to perform adequately in the target position.

c. Training may be full- or part-time. It may be furnished in-house, through interagency agreements, by non-Government sources, or by a combination of these. Pooling of educational and training facilities of VA and the community with other VA field facilities or other Government agencies in the locality is encouraged; arrangements for practical work experiences or training for students by manufacturers or customer service representatives is helpful and desirable. Whatever approach is used, training is to be planned, scheduled, and intensive-designed to qualify the trainee for the target job within a reasonable period of time.

d. To the extent possible, training, including non-Government training, should be carried out "on-the-clock" during the trainee's 40-hour workweek with work schedule adjustments made if necessary. Eligibility for premium pay must meet the requirements outlined in 5 CFR, part 410 and VA Handbook 5007, Pay Administration. As a condition for acceptance into training, however, employees

may be asked to pursue a reasonable amount of formal non-Government training on their own time. The cost of non-Government training may be borne by VA under the provisions of 5 U.S.C., chapter 41. Voluntary arrangements may be made with employees to reimburse the employees for academic training only after they produce evidence of satisfactory completion of course work. Where non-Government training is a part of a program, the trainee will be required to execute the standard continuing service agreement.

7. PLACEMENT CONSIDERATIONS

a. Within the limits of pertinent VA and OPM instructions, or approved exceptions thereto, individuals initially may be formally detailed or temporarily assigned to a trainee position. Temporary assignment is most feasible when there is reasonable assurance that the target position will be available upon satisfactory completion of training. Detailing employees on a full - or part-time basis to the training assignments while continuing them in their present positions is an acceptable alternative. Prior OPM approval is required for all details exceeding 1 year. Employees must be assured that they can return to their original grades and positions, or those of similar duties and grades, if they fail to satisfactorily complete training, or if otherwise necessary. Since this requirement must be met, when the assignment of the trainee to the upward mobility position will result in an immediate promotion, the promotion must be made on a temporary basis. Promotion announcements must clearly state this condition. Announcements for upward mobility opportunities must specify that unsatisfactory progress will result in the return of the selectees to their former position and grade. Performance standards and IDPs should be developed for each employee selected for upward mobility training. Also, in developing IDPs, consideration should be made for changing needs of the employee and of VA and the field facility concerned.

b. Upon satisfactory demonstration of the ability to perform at the next higher grade, which may be the target grade, employees will be reassigned or promoted, if the position is available. Otherwise, they will be returned to their original positions, or those of similar duties and grades, until the target positions are available. If a replacement is essential while an employee is temporarily assigned or detailed to the target job, one should be employed on a temporary, part- or full-time basis. If the replacement need is an occupation in which there are many employees and frequent turnover, it may be filled by permanent appointment.

c. While position changes occurring "at the employee's request" ordinarily would preclude salary retention, position changes resulting from upward mobility programs are considered employee development programs. As such, if the selected employee is otherwise eligible and his/her former salary exceeds that for the maximum step of the trainee position, salary retention is appropriate. (See 5 CFR 536.104(a)(6).)

8. FUNDING CONSIDERATIONS

a. This appendix does not relieve field facilities of their obligation for Equal Opportunity in the Department of Veterans Affairs and to provide resources for upward mobility training for employees. It is recognized, however, that many desirable and needed training activities cannot be accomplished within existing resources. It is in these cases that field facility requests for supplemental funding will be considered by Central Office. The assistance available through Central Office is limited. Before requesting Central Office funding, field facilities should fully examine the extent to which their local

resources will enable them to contribute to the training cost, and the essentiality of replacements. Innovative measures to extend available resources should be explored; for example: arrangements with employees to work part-time while pursuing formal education or training. Use of cooperative education programs, the G.I. Bill (for tuition costs), or VA training programs might be combined with other facets to produce an individualized approach to training costs.

b. Proposals for VACO-funded training will be reviewed by the appropriate line and program officials in consultation with the Office of Human Resources Management. Those considered practical will be authorized within the Department each fiscal year in accordance with the resources available at Central Office.

c. The proposal should outline the training or educational program(s) planned to prepare selected employees in lower-level positions for specific target positions. The following information, at a minimum, must be furnished with each request:

(1) Number of target jobs, by occupational series and position title, established or identified for filling by upward mobility trainees;

(2) Number of employees to be trained and plans for counseling, selecting and placing eligible employees;

(3) Description of the proposed training, educational, or developmental activities. Include the duration of the program, where the activities are to be conducted, the name and location of any non-agency facilities providing training or other services, and an estimate of the cost for each type of program;

(4) Salary dollars, if needed, for replacement of employees undergoing training;

(5) Estimation by fiscal quarter of total costs of proposal in terms of:

(a) Salary costs for essential replacements), and

(b) Tuition, books and supplies, and other direct costs. Indicate amount to be absorbed by field facility and the assistance (funds and/or ceiling) requested of Central Office.

(6) Field facility's upward mobility program coordinator and telephone number.